

**CERTIFICATE OF ELECTRONIC
TRANSMISSION**

I hereby certify that this correspondence
for Application No. 10/689,397 is being
electronically transmitted to Technology
Center 1761 via EFS-WEB, on
September 26, 2006.

<u>/David H. Brinkman/</u>	<u>9/26/06</u>
David H. Brinkman, Reg. No. 40,532	Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Serial No: Filing Date: Art Unit: Confirmation No.: Examiner: Title: Atty. Docket:	Ronald R. Weiss 10/689,397 October 20, 2003 1761 2876 Becker, Drew E. CONTROL METHODS FOR POPPING POPCORN GME-131C
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Cincinnati, Ohio

September 26, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS (37 C.F.R. § 1.191)**

Applicants hereby appeal to the Board of Appeals from the last
decision of the Examiner dated April 26, 2006 finally rejecting claims 26-29.

The item(s) checked below are appropriate:

1. Status of Applicant

This application is on behalf of

- ☐ other than a small entity
☒ a small entity

2. Fee for Filing Notice of Appeal

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Notice of Appeal is:

- ☒ small entity \$250.00
☐ other than a small entity \$500.00

Notice of Appeal fee due **\$250.00**

3. Extension of Term

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

- (a) X Applicants petition for an extension of time under 37 C.F.R. § 1.136 for the total number of months checked below:

Extension (months)	Fee for	
	other than <u>small entity</u>	Fee for <u>small entity</u>
<u> </u> one month	\$ 120.00	\$ 60.00
<u> X </u> two months	\$ 450.00	\$225.00
<u> </u> three months	\$1,020.00	\$510.00
<u> </u> four months	\$1,590.00	\$795.00

Fee **\$225.00**

- Attached is a check in the amount of \$ for the month extension fee as required by 37 C.F.R. § 1.17(c). If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

____ An extension for ____ month has already been secured and the fee paid thereof of \$ ____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$ _____. Please charge Deposit Account No. 23-3000 in the amount of \$ ____ for the ____ () months extension fee as required by 37 C.F.R. § 1.17(a)(3) for large entity status.

OR

(b)____ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

4. Total Fee Due

The total fee due is:

Notice of Appeal fee	\$250.00
Extension fee (if any)	<u>\$225.00</u>

Total Fee due **\$475.00**

5. Fee Payment

X See electronic fee calculation sheet.

____ The Commissioner is hereby authorized to charge the amount of \$ ____ for the appeal fee and the one month extension of time fee to Deposit Account No. 23-3000. A duplicate of this Notice is attached.

6. Fee Deficiency

X Charge any additional fee required or credit any overpayment to Deposit Account No. 23-3000. A duplicate of this Notice is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By /David H. Brinkman/

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Reg. No. 40,532

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